

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

AK MEETING IP LLC,

Plaintiff,

v.

ZOHO CORPORATION,

Defendant.

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Civil Action No. 1:22-cv-01165-LY

**DECLARATION OF RYAN J. MARTON
IN SUPPORT OF ZOHO CORPORATION’S MOTION TO DISMISS PLAINTIFF’S
SECOND AMENDED COMPLAINT**

I, Ryan J. Marton, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner with the law firm of Marton Ribera Schumann & Chang LLP, counsel for Defendant Zoho Corporation (“Zoho”) in this matter. I submit this declaration in support of Zoho’s Opposed Motion to Dismiss Plaintiff’s Second Amended Complaint pursuant to Rule 12(b)(6). I have personal knowledge of the facts set forth herein unless otherwise indicated, and if called to testify, I could and would testify competently thereto.

2. **Exhibit 1** is a true and correct copy of an excerpt of the prosecution history of U.S. Patent No. 8,627,211, titled “Final Rejection” and dated September 3, 2010 that was obtained from the PAIR website of the United States Patent and Trademark Office (“USPTO”) (<https://portal.uspto.gov/pair/PublicPair>) (“PAIR”) on June 26, 2022, submitted as Exhibit 1 (see D.I. 15-2) to the Declaration of Phillip J. Haack in Support of Zoho Corporation’s Motion to

Dismiss (“Haack Decl.”), and a copy of which is available on the USPTO’s Patent Center at <https://patentcenter.uspto.gov/applications/11694817/ifw/docs?application=>.

3. **Exhibit 2** is a true and correct copy of an excerpt of the prosecution history of U.S. Patent No. 8,627,211, titled “Applicant Arguments/Remarks Made in an Amendment” and dated November 3, 2010 that was obtained from PAIR on June 26, 2022, submitted as Exhibit 2 (*see* D.I. 15-3) to the Haack Decl., and a copy of which is also available on the USPTO’s Patent Center at <https://patentcenter.uspto.gov/applications/11694817/ifw/docs?application=>.

4. **Exhibit 3** is a true and correct copy of an excerpt of the prosecution history of U.S. Patent No. 8,627,211, titled “Notice of Allowance” and dated October 30, 2013 that was obtained from PAIR on June 26, 2022, submitted as Exhibit 3 (*see* D.I. 15-4) to the Haack Decl., and a copy of which is also available on the USPTO’s Patent Center at <https://patentcenter.uspto.gov/applications/11694817/ifw/docs?application=>.

5. **Exhibit 4** is a true and correct copy of an April 12, 2023 printout of the URL <https://www.zoho.com/show/> which is cited in Exhibit A to Plaintiff’s Second Amended Complaint (*see* D.I. 42-1).

6. **Exhibit 5** is a true and correct copy of an April 12, 2023 printout of the URL https://help.zoho.com/portal/en/kb/show/web-app/create-presentations/articles/open-or-save-a-copy-of-a-presentation#Open_a_presentation_in_Show which is cited in Exhibit A to Plaintiff’s Second Amended Complaint (D.I. 42-1).

7. **Exhibit 6** is a true and correct copy of an April 12, 2023 printout of the URL <https://help.zoho.com/portal/en/kb/show/mobile-apps/for-androiddevice/download-and-sign-up/articles/download-and-install-the-zoho-show-app-for-android> which is cited in Exhibit A to Plaintiff’s Second Amended Complaint (D.I. 42-1).

8. **Exhibit 7** is a true and correct copy of an April 12, 2023 printout of the URL <https://help.zoho.com/portal/en/kb/show/web-app/customize-and-play/articles/play-a-slideshow-zohoshow#Highlighter> which is cited in Exhibit A to Plaintiff's Second Amended Complaint (D.I. 42-1).

9. **Exhibit 8** is a true and correct copy of an April 12, 2023 printout of the URL <https://www.zoho.com/show/collaborate-and-work-online.html> which is cited in Exhibit A to Plaintiff's Second Amended Complaint (D.I. 42-1).

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 17th day of April 2023 in San Francisco, California.

/s/ Ryan J. Marton
Ryan J. Marton